

Town of Mashpee

16 Great Neck Road North, Mashpee, MA 02649
ph: (508) 539-1400

February 23, 2015

AGENDA BOARD OF SELECTMEN MONDAY, FEBRUARY 23, 2015

6:30 p.m. – Convene Meeting – Waquoit Meeting Room – Mashpee Town Hall

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MINUTES

Approval of the following:

Monday, February 9, 2015 – Regular Session

APPOINTMENTS & HEARINGS

- 6:30 Public Comment
- 6:40 Public Hearing – Signage for Bridges at Mashpee – **Vote Required**
- 6:45 Request for Reconsideration of Little Neck Bay Traffic Stop Signs

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- Appointment to Town Manager Screening Committee – **Vote Required**
- Review of Town Manager Job Description and Salary Discussion - **Vote**
- Cape & Vineyard Electric Cooperative (CVEC) – Membership and Representation Discussion - **Vote Required**

y 4, 2015 Special & Annual Town Meeting Warrant Review – Draft #1

- Estoppel Certificate – South Cape Village – Approval and Execution - **Vote**

cal Year 2016 Budget Review

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed.)

LIAISON REPORTS

EXECUTIVE SESSION

Present: Selectman Taylor, Selectman Richardson, Selectman Sherman,
Selectman Cahalane, Selectman Gottlieb
Town Manager Joyce Mason
Assistant Town Manager Tom Mayo

Meeting Called to Order by Chairman Taylor at 6:30 p.m.
Mashpee Town Hall, Waquoit Meeting Room

MINUTES:

Monday, February 9, 2015 Regular & Executive Session:

**Motion made by Selectman Sherman to approve the Regular and Executive
Session minutes of Monday, February 9, 2015 as presented.**

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

APPOINTMENTS & HEARINGS:

Public Comment: None at this time.

Request for Reconsideration of Little Neck Bay Traffic Stop Signs:

The Board of Selectmen at their January 5, 2015 meeting voted to approve the request of the Little Neck Bay Association by allowing stop signs for safety purposes and to establish traffic regulations enforceable by the Police Department.

At the request of Attorney Jonathan Fitch representing Lewis and Gail Rubin of 43 Tide Run, the matter regarding the Little Neck Bay traffic signage was reassessed.

Mr. Fitch requested the Board of Selectmen rescind its past vote to authorize the traffic control signage, and schedule a hearing to allow all parties to comment before making a decision. Attorney Fitch indicated he was not in attendance as he did not receive notification of the previous meeting.

APPOINTMENTS & HEARINGS:

Request for Reconsideration of Little Neck Bay Traffic Stop Signs: (continued)

Lloyd Gainsboro, Chairman of the Little Neck Bay Association indicated that for many years, stop signs and speed bumps have been in Little Neck Bay to promote the safety of its members and their guests. Due to a variety of objections, including a complaint from the residents of 43 Tide Run, the speed bumps were removed.

In addition to stop signs, the association has considered other speed calming devices. Mr. Gainsboro stated the main desire of the area residents is speed control, and to slow traffic at the three intersecting roads. After review of this matter with the police department it was concluded the best process to control traffic was to use stop signs and speed control signage. During the review of this matter at an annual meeting, it was noted that only one resident of its 140 members opposed to the installation of the stop signs on the three intersecting streets on Tide

Run.

It was also disclosed the standard method of controlling safety and speed in the New Seabury Villages is through stop signs, speed control signs and private access gates. Mr. Gainsboro distributed a compilation of events reviewed by the Little Neck Bay Association with respect to this regard. Mr. Gainsboro respectfully requested this matter be closed and the existing approvals by the Board of Selectmen re-confirmed.

Rodney Collins, Chief of Police presented photographs of the intersections of discussion. It was disclosed the stop signs are legal conforming to the Manual of Traffic Control devices. The traffic signage is installed and enforceable by the Police Department in accordance to Chapter 90, §18. Chief Collins indicated that he was not aware that Attorney Fitch did not receive notification of the January 5, 2015 meeting, and agreed that Attorney Fitch should have the opportunity to be heard.

Chief Collins indicated in review of this matter and based on the information and data gathered there is no reason for the Board to deny the request of the Little Neck Bay Association unless there is additional information to be heard.

APPOINTMENTS & HEARINGS:

Request for Reconsideration of Little Neck Bay Traffic Stop Signs: (continued)

Supplemental information from Town Counsel to support Chief Collins' recommendation was presented to the Board for review. Citing a May 30, 2008 opinion relative to the provisions of Chapter 90, §18, *the Board of Selectmen may adopt special regulations relative to the speed of motor vehicles and the use of such vehicles upon the subject private ways to the same extent such regulations may be adopted for ways within the control of the Town of Mashpee and approved by the MA Highway Department or the Registry of Motor Vehicles*. It was noted the Southport Condominium complex was under this review when the opinion was cited.

Attorney Fitch indicated he had no further comment at this time.

Upon review, it was the determination of the Board of Selectmen to take no action on this request as it appears to be a dispute amongst the two parties, and therefore no basis for the Board of Selectmen to rescind their vote on January 5, 2015.

Public Hearing – Signage for Bridges at Mashpee:

The Board of Selectmen opened the Public Hearing on the request of National Development to construct and install a new directional sign at the intersection of Route 151 and Old Barnstable Road. The new sign would be a combined sign for both the Bridges at Mashpee and the Quashnet Valley Country Club, Pro Shop and Lounge.

The Hearing notice was read aloud for informational purposes. Samantha Gaiewski, Project Manager of National Development was in attendance for discussion purposes.

Bridges by Epoch is a Memory Care Assisted Living facility. It was disclosed the applicant met with the Design Review Committee last week, and there was no objection to the signage proposal.

Being no further comment, the Board motioned to close the Public Hearing.

APPOINTMENTS & HEARINGS:

Public Hearing – Signage for Bridges at Mashpee: (continued)

Motion made by Selectman Cahalane to close the Public Hearing.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Motion made by Selectman Cahalane to approve the request of National Development to construct and install a new directional sign at the intersection of Route 151 and Old Barnstable Road as proposed.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

COMMUNICATIONS & CORRESPONDENCE:

Mashpee High School Falcon Café:

The Board of Selectmen received a letter from the Mashpee School Department recognizing Selectman Richardson and Selectmen Sherman for attending the breakfast presented by Mashpee High School students participating in the Falcon Café program. The syllabus is an extension of the transitional vocational class that prepares special education students for life after high school. Each Friday from 7:15 a.m. to 9:00 a.m. a light breakfast is available for teachers and administration in a classroom located on the first floor. Any Town officials wishing to attend the Friday breakfast should contact Michelle Grady at the high school.

NEW BUSINESS:

Appointment to Town Manager Screening Committee:

Correspondence was received from the Town Clerk dated February 10, 2015 relative to the Town Manager Screening Committee. Regarding the Personnel Board designee, it is the opinion of Town Counsel to appoint the Human Resources Director to the Screening Committee given her duties and responsibilities. The Town Clerk in her memorandum recommended the appointment of Kathleen Moore, Human Resources Director to the Town Manager Screening Committee.

The first meeting of the Screening Committee is Tuesday, February 24, 2015 at 4:30 p.m.

Motion made by Selectman Sherman to appoint Kathleen Moore, Human Resources Director to the Town Manager Screening Committee.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Review of Town Manager Job Description and Salary Discussion:

With the retirement of Joyce Mason as Town Manager, and the upcoming search for her replacement, the Board of

Selectmen reviewed the job description and related salary range for the position of Town Manager.

The Town Manager Screening Committee is charged with the task to identify and determine desirable candidates that would meet to the greatest extent possible, the expectations of the Board of Selectmen.

Overall, it was agreed the Town Manager Job Description as brought forth is a suitable document appropriate for use during the screening process. Additional attributes to be considered include a favorable past performance profile in town affairs, communication proficiencies, and sound management capabilities.

NEW BUSINESS:

Review of Town Manager Job Description and Salary Discussion: (continued)

Additionally, it was recommended the Town Manager candidates have direct experience and knowledge of finance and budgeting to safeguard accounts and balances while maintaining affordability for those who live in the Town of Mashpee. And, with the potential outcome of the wastewater referendum, competence in the utility field was also deemed a desirable attribute.

When discussing the proposed salary scope for the Town Manager position, it was agreed the Human Resources Director would be requested to compile a median income survey of Town Managers on Cape Cod. To advance the process forward and to attract qualified candidates, it was determined the salary range would be set as follows;

Motion made by Selectman Cahalane to establish a salary range of \$120,000 - \$150,000 for the new Town Manager position for advertisement purposes.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Cape & Vineyard Electric Cooperative (CVEC) – Membership and Representation Discussion:

Communication was received from John Checklick of the Cape & Vineyard Electric Cooperative dated February 10, 2015 requesting the Town's appointed CVEC Director, Michael Richardson be removed by April 30, 2015 for failure to meet the minimum CVEC bylaw attendance policy. The memorandum requested the Board appoint a new Director to the Cooperative by the end of April.

For clarification, Selectman Richardson indicated that since his appointment he previously attended extensive meetings of the CVEC. During his tenure, and while attending the lengthy meetings, there were no subjects of discussion involving matters associated to the Town of Mashpee. If required, Selectman Richardson offered to be present at the annual meeting of the Board of Directors to maintain the Town's membership status.

Cape & Vineyard Electric Cooperative (CVEC) – Membership and Representation Discussion: (continued)

It was noted the CVEC Board has had a number of discussions regarding meeting attendance and quorum requirements. At present, the Town of Mashpee is currently operating at 90% of its energy load and not able to take advantage of the Cooperative projects currently being offered.

Discussion followed with respect to the Town as a representative to CVEC and future participation in renewable energy projects if the Town was to withdraw from the Cooperative.

Motion made by Selectman Cahalane to withdraw from the Cape & Vineyard Cooperative.

Motion seconded by Selectman Sherman.

VOTE: 3-2. Motion carries.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, no
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, no	Opposed, (2)

Estoppel Certificate – South Cape Village – Approval & Execution:

The Board of Selectmen reviewed correspondence received from Town Counsel dated February 18, 2015 relative to the Estoppel Certificate regarding the impending sale of South Cape Village. It was noted the only matter of interest in this property is the revocable license granted by the Town of Mashpee to the Owner for clearing, grading, drainage and landscaping within 20' of the Areas of Taking for the Commercial Street Right of Way.

Motion made by Selectman Gottlieb to approve and execute the Form Declaration of Cross-Easements and Licenses - Estoppel Certificate for South Cape Village as presented.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

NEW BUSINESS:

Fiscal Year 2016 Budget Review:

Correspondence was received from the Town Manager dated February 11, 2015 relative to her FY2016 Budget Recommendation. The budget overall represents a 2% increase, an additional \$1,065,966 designated for general government, the school department and for fixed costs.

The budget as proposed is based on level funded State Aid, and a proposed Cape Cod Technical School budget. The budget does not address the pending matter of wastewater.

It was agreed the full context of the FY2016 budget would be reviewed at the next meeting.

May 4, 2015 Special & Annual Town Meeting Warrant Review – Draft #1:

Draft #1 of the Special & Annual Town Meeting Warrant of May 4, 2015 was distributed to the Board of Selectmen for review.

It was noted that an additional article is necessary to fund benefited contractual expenses associated to the retirement of the Town Manager.

Motion made by Selectman Cahalane to add a new Article to the Town Meeting Warrant to fund the Town Manager contractual expenses as referenced.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

May 4, 2015 Special & Annual Town Meeting Warrant Review – Draft #1:
(continued)

Discussion followed with respect to appropriating funds for the operation of the Transfer Station as an Enterprise Fund a self-sufficient, self-funded undertaking.

Attached for the Board's review was a budget for the Transfer Station with associated operational costs which include the sticker office, and expected revenues for gate receipts, and single trip pass sales.

Under consideration is an increase in the permits from \$110 per 1st household sticker to a cost of \$165 per sticker. The second household sticker would remain the same, \$10 per additional sticker.

It was noted however, the citizens of the Town on two previous occasions voted by referendum to remain at status quo with respect to the operation of the Transfer Station. It was agreed this matter would be further reviewed at the next meeting.

In other business, the Board of Selectmen requested a copy of the job description for the Assistant DPW Director/Engineer position previously created in 1987. It was noted the FY16 budget includes added funding for this position.

Adjournment:

Motion made by Selectman Sherman to adjourn at 7:24 p.m.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Respectfully submitted,

Kathleen M. Soares
Secretary to the Board of Selectmen

Enclosures:

Little Neck Bay Association;

Photographs of Stop Signage;

Opinion re: Motor Vehicle Speed Enforcement Regulations 5/30/08